

**MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
JULY 7, 2015
7:00 P.M.**

I. CALL TO ORDER

Mayor Hovland called the meeting to order at 7:04 p.m.

II. ROLL CALL

Answering rollcall were Members Brindle, Staunton, Stewart, Swenson, and Mayor Hovland.

III. MEETING AGENDA APPROVED

Member Brindle made a motion, seconded by Member Swenson, approving the meeting agenda.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland
Motion carried.

IV. CONSENT AGENDA ADOPTED

Member Stewart made a motion, seconded by Member Swenson, approving the consent agenda as revised to remove Item IV.I. Human Rights and Relations Commission Resignation, as follows:

IV.A. Approve regular and work session meeting minutes of June 17, 2015

IV.B. Receive payment of the following claims as shown in detail on the Check Register dated June 18, 2015, and consisting of 38 pages; General Fund \$197,547.45; Police Special Revenue \$1,282.21; Pedestrian and Cyclist Safety Fund \$992.64; Arts and Culture Fund \$6,375.00; Working Capital Fund \$47,686.52; Equipment Replacement Fund \$9,214.37; Cando Fund \$1,598.00; Art Center Fund \$4,221.18; Golf Dome Fund \$653.30; Aquatic Center Fund \$5,544.59; Golf Course Fund \$54,611.75; Ice Arena Fund \$14,403.18; Sports Dome Fund \$46.43; Edinborough Park Fund \$9,082.10; Centennial Lakes Park Fund \$11,551.53; Liquor Fund \$171,639.92; Utility Fund \$98,941.98; Storm Sewer Fund \$184.40; PSTF Agency Fund \$9,131.80; Centennial TIF District \$2,675.92; Grandview TIF District \$371.18; TOTAL \$647,755.45; for receipt of payment of claims dated June 25, 2015, and consisting of 31 pages; General Fund \$148,189.55; Police Special Revenue \$393.22; Pedestrian and Cyclist Safety Fund \$159,768.38; PIR Debt Service Fund \$1,603.82; Working Capital Fund \$1,217,918.50; Cando Fund \$21,205.00; Art Center Fund \$1,071.80; Golf Dome Fund \$1,616.50; Aquatic Center Fund \$11,526.28; Golf Course Fund \$37,072.12; Ice Arena Fund \$11,836.68; Sports Dome Fund \$32,315.96; Edinborough Park Fund \$7,970.89; Centennial Lakes Park Fund \$91,676.44; Liquor Fund \$170,578.54; Utility Fund \$1,360,665.24; Storm Sewer Fund \$722,837.64; PSTF Agency Fund \$1,997.26; Centennial TIF District \$91,676.44; Grandview TIF District \$1,890.00; Pentagon Park District \$105.00; Payroll Fund \$2,667.60; TOTAL \$4,011,408.98; for receipt of payment of claims dated July 2, 2015, and consisting of 36 pages; General Fund \$219,317.22; Police Special Revenue \$3,527.36; Pedestrian and Cyclist Safety Fund \$17,868.91; Arts and Culture Fund \$700.00; Working Capital Fund \$403,367.64; Equipment Replacement Fund \$791.73; Art Center Fund \$3,803.73; Golf Dome Fund \$716.44; Aquatic Center Fund \$10,478.48; Golf Course Fund \$70,214.07; Ice Arena Fund \$10,961.72; Sports Dome Fund \$95.21; Edinborough Park Fund \$12,716.64; Centennial Lakes Park Fund \$3,354.80; Liquor Fund \$203,561.73; Utility Fund \$65,881.05; Storm Sewer Fund \$23,296.06; Recycling Fund \$32.20; PSTF Agency Fund \$1,548.39; TOTAL \$1,052,233.38; and, Credit Card Transactions dated March 25 – April 26, 2015; TOTAL \$47,309.72

- IV.C. Adopt Resolution No. 2015-65 Approving Public Health Emergency Preparedness Grant Project Agreement 2015-2016**
- IV.D. Authorize Joint Powers Agreement for Community Solar Gardens**
- IV.E. Adopt Resolution No. 2015-66, Supporting Beacon Interfaith Housing Collaborative Affordable Housing Project at 3330 66th Street in Edina**
- IV.F. Request for Purchase, Todd Park Basketball Court, awarding the bid to the recommended low bidder, Tennis West at \$35,970.00**
- IV.G. Request for Purchase, West Parking Lot Van Valkenburg Park, awarding the bid to the recommended low bidder, Ace Asphalt Paving Contractors at \$78,626.79**
- IV.H. Request for Purchase, Award of Bid Contract ENG15-11 2015 Sealcoating Improvements, awarding the bid to the recommended bidder, Allied Blacktop Company at \$154,820.00**
- ~~**IV.I. Human Rights and Relations Commission Resignation**~~
- IV.J. Approve Public Art Purchase – Three Dancing Sand Mill Cranes Sculpture**

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

ITEM REMOVED FROM THE CONSENT AGENDA

IV.I. HUMAN RIGHTS AND RELATIONS COMMISSION RESIGNATION – REMAIN VACANT

The Council noted that resignations did not normally come before the Council for vote. Manager Neal explained that there was not an alternate to fill the position and staff recommended leaving the position vacant until annual on-boarding in March.

Member Swenson made a motion, seconded by Member Staunton, to leave the Human Rights and Relations seat vacant until annual on-boarding in March.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

V. SPECIAL RECOGNITIONS AND PRESENTATIONS

None.

VI. PUBLIC HEARINGS HELD – Affidavits of Notice presented and ordered placed on file.

VI.A. RESOLUTION NO. 2015-67 APPROVING ISSUANCE OF BONDS BY MINNEAPOLIS ON BEHALF OF FAIRVIEW HEALTH SERVICES – ADOPTED

Manager Neal introduced Nathan Canova, Dorsey & Whitney, as the counsel to Fairview Health Services.

Mr. Canova explained that a portion of the facilities proposed to be financed and refinanced by the bonds were located at the Southdale campus in Edina. The bonds were not being issued by the City of Edina and were not an obligation of the City of Edina but Edina's consent was needed to fulfill an Internal Revenue Service requirement.

Mayor Hovland opened the public hearing at 7:11 p.m.

Public Testimony

No one appeared to comment.

Member Swenson made a motion, seconded by Member Staunton, to close the public hearing.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

Member Brindle introduced and moved adoption of Resolution No. 2015-67, Approving the Issuance of Bonds by the City of Minneapolis on Behalf of Fairview Health Services under Minnesota Statutes, Sections 469.152 to 469. Member Stewart seconded the motion.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland
Motion carried.

VI.B. REZONING FROM R-1 TO R-2 WITH LOT AREA AND WIDTH VARIANCES, MATHIAS MORTENSON, 3923 49TH STREET WEST – ORDINANCE NO. 2015-09 AND RESOLUTION NO. 2015-68 – ADOPTED

Community Development Director Presentation

Community Development Director Teague presented the request from Mathias Mortenson to tear down the existing single-family home and construct a new double dwelling unit at 3923 49th Street W. To accommodate the request, the applicant was requesting rezoning from R-1 to R-2, lot area variance from 15,000 square feet to 8,816 square feet, and lot width variance from 90 feet to 65 feet. The applicant made a similar request in 2014 that was denied by the Council. The denial of the rezoning centered on the variances associated with the size of the structure proposed. The plans had been revised so there were no variances associated with the proposed structure.

Proponent Presentation

Mathias Mortenson, 2429 Sheridan Avenue, discussed the changes that had been made to the proposal, items that remained the same, and addressed accessibility and sustainability. Mr. Mortenson answered a question of the Council relating to the professional engineer that had been hired to do the grading, stormwater management, and erosion control plan.

Mayor Hovland opened the public hearing at 7:21 p.m.

Public Testimony

Jim Stromberg, 3930 49th Street, addressed the Council.

Member Swenson made a motion, seconded by Member Stewart, to close the public hearing.

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland
Motion carried.

Member Brindle made a motion to grant First and waive Second Reading adopting Ordinance No. 2015-09, Rezoning 3923 49th Street from R-1, Single Dwelling Unit District to R-2, Two-Dwelling Unit District and introduced and moved adoption of Resolution No. 2015-68, Approving a Rezoning from R-1 to R-2 with; Lot Area and Width Variances at 3923 49th Street, subject to the following Conditions:

- 1. Any new structure on this property shall conform to the minimum Zoning Ordinance requirements of R-2 Zoning District.**
- 2. Compliance with all of the conditions outlined in the director of engineering's memo dated June 3, 2015.**
- 3. Any new duplex structure would be required to be installed with a fire sprinkler system, per the state building code.**

Member Staunton seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland
Motion carried.

VII. COMMUNITY COMMENT

No one appeared to comment.

VIII. REPORTS / RECOMMENDATIONS

VIII.A. AFFORDABLE HOUSING POLICY – TABLED

Mr. Teague presented the "City of Edina Policy on Affordable Housing for New Multi-Family Developments" drafted as a result of the Council Work Session with the Edina Housing Foundation on June 2, 2015. The Housing Foundation recommended some minor edits to the Policy including the 20%

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provision applying to projects over 20 units and consideration of higher density or a density bonus for projects that include at least 20% of the units for affordable housing.

The Council discussed a sunset rule for Tax Increment Financing and whether it was applicable in this situation as well as other uses for Tax Increment Financing. The Council also discussed considering payment in lieu of affordable housing that might go into a Housing Foundation Fund that would be used for other projects and noted that nothing in the Policy compelled approval of a rezoning or variance.

Mr. Neal stated staff would incorporate the Council's suggestions with the intent of having the updated Policy before the Council at the July 21, 2015, Council meeting for adoption.

VIII.B. ORDINANCE NO. 2015-10 AMENDING TIME OF SALE TO CERTAIN LICENSEES – ADOPTED

Clerk Mangen reported that during the 2015 session, the Legislature had changed the start time for selling wine and intoxicating liquor on Sunday morning from 10:00 a.m. to 8:00 a.m. The amendment would bring Edina's Code into agreement with State Statute and allow holders of Wine On-Sale Licenses, Club and Sunday Sale Licenses, or On-Sale and Sunday Sale Licenses to begin serving at 8:00 a.m. on Sunday mornings.

Member Swenson made a motion to grant First and waive Second Reading adopting Ordinance No. 2015-10, Amending the Edina City Code Concerning Liquor. Member Stewart seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

VIII.C. RESOLUTION NO. 2015-69 ADOPTED – ACCEPTING VARIOUS GRANTS AND DONATIONS

Mayor Hovland explained that in order to comply with State Statutes; all donations to the City must be adopted by Resolution and approved by four favorable votes of the Council accepting the donations. **Member Brindle introduced and moved adoption of Resolution No. 2015-69 accepting various grants and donations.** Member Stewart seconded the motion.

Rollcall:

Ayes: Brindle, Staunton, Stewart, Swenson, Hovland

Motion carried.

IX. CORRESPONDENCE AND PETITIONS

IX.A. CORRESPONDENCE

Mayor Hovland acknowledged the Council's receipt of various correspondence.

IX.B. MINUTES:

- 1. ENERGY AND ENVIRONMENT COMMISSION, MAY 14, 2015**
- 2. PLANNING COMMISSION, JUNE 10, 2015**
- 3. COMMUNITY HEALTH COMMISSION, APRIL 7, 2015**
- 4. HUMAN RIGHTS AND RELATIONS COMMISSION, MAY 26, 2015**

Informational; no action required.

IX.C. ADVISORY COMMUNICATION HUMAN RIGHTS AND RELATIONS COMMISSION, RESOLUTIONS ON AFFORDABLE HOUSING IN EDINA

Informational; no action required.

X. AVIATION NOISE UPDATE – Received

XI. MAYOR AND COUNCIL COMMENTS – Received

XII. MANAGER'S COMMENTS – Received

XIII. ADJOURNMENT

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Minutes approved by Edina City Council, July 21, 2015.

Debra A. Mangen, City Clerk

Video Copy of the July 7, 2015, meeting available.

James B. Hovland, Mayor